

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DAVID E. HILL,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 3:11-cv-1609</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>HARLEY LAPPIN, <i>et al.</i>,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 12<sup>th</sup> day of February 2020, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT**:

1. Plaintiff's motion to compel discovery (Doc. No. 241) is **DENIED**;
2. Plaintiff's motion for discovery sanctions (Doc. No. 243) is **DENIED**;
3. Plaintiff's motion for leave to call or add a witness or expert (Doc. No. 245) and request for a subpoena (Doc. No. 254) are **DENIED**;
4. Plaintiff's motions *in limine* (Doc. Nos. 250, 252, 262) are **GRANTED in part and DENIED in part**, as follows:
  - a. The motions are **GRANTED** with respect to any evidence regarding Plaintiff's past arrests, convictions, and the facts underlying those convictions; the length of Plaintiff's sentence; the number of times Plaintiff has been incarcerated; his places of incarceration; other restrictions during confinement; and any placements in the SMU or administrative custody after the events of June 22-24, 2010; and
  - b. The motions are **DENIED** with respect to evidence regarding Plaintiff's status as an SMU inmate at the time of the incident, his conduct during the relevant period (June 22-24, 2010), and his disciplinary history **only** to the extent that Defendants knew of and considered Plaintiff's disciplinary record prior to June 22,

2010. “[Specific disciplinary incidents and the details surrounding them are not admissible, unless specific instances led to a decision on the . . . use of [four-point] restraints on [Plaintiff].” *Womack v. Smith*, No. 1:06-cv-2348, 2012 WL 1245752, at \*5 (M.D. Pa. Apr. 13, 2012)

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge